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Applicant elects with traverse to prosecute claims 4 and 17 of Group I drawn to a composition and method for controlling plant diseases caused by pathogenic microorganisms, wherein the metal ion component is copper or zinc.

The Examiner noted claims 1-3, 5-16 and 18-30 link inventions I to V. The restriction requirement between the linked inventions is subject to the nonallowance of the linking claims, 1-3, 5-16 and 18-30. Upon the indication of allowability of the linking claims, the restriction requirement as to the linked inventions shall be withdrawn and any claims depending from or otherwise requiring all the limitations of the allowable linking claims will be rejoined and fully examined for patentability in accordance with 37 CFR 1.104.

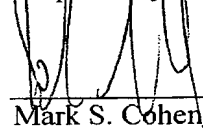
MPEP 803 states "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions". Applicant maintains that there is no undue burden of search for compositions and method for controlling plant diseases caused by pathogenic microorganism comprising copper, zinc, manganese, calcium, iron or aluminum, accordingly the restriction is improper.

For the reasons above, it is respectfully asserted that this restriction requirement is improper, and withdrawal is respectfully requested. All claims of Group I to V should be examined together.

If the Examiner has any questions or comments as to this response, the undersigned may be contacted at the address and telephone number below.

Please charge any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,



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Dated: September 28, 2006
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